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FEB 25 2008  
U.S. DISTRICT COURT  
S.D.N.Y.

February 18, 2008

The Honorable Harold Baer, Jr.  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2230  
New York, New York 10007

Re: Gable v. The Receivable Management Services Corporation  
Case No.: 07 Civ. 11265 (HB)

Dear Judge Baer:

We represent plaintiff Chris Gable in the above-referenced action, which seeks monetary damages under the Fair Debt Collection Practices Act. A copy of the complaint is enclosed.

On January 14, 2008, defendant executed a waiver of service, as a result of which a response to the complaint was due February 12, 2008. To date, however, no response has been received, and thus defendant is in default.

Absent an appearance by the defendant within the next few days, we intend to prepare a motion for judgment by default. In the meantime, however, we would respectfully request an adjournment of the pre-trial conference currently scheduled for February 28.

Respectfully submitted,

MCCORMICK DUNNE & FOLEY

By: Christopher P. Foley (CF 6079)

cc: ORAL ARG.  
Harold Baer, Jr., U.S.D.J.  
Dated 2/25/08

Endorsement:

I will adjourn the PTC to 3/20 at 2:00 PM if by that time you have not received a response bring your motion for a default judgment with you and it will be signed and you will serve the defendant if there is a response be sure to notify your adversary and be sure both sides attend.